

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:  
J. Vernon Knight *et al.*

Serial No.: 10/663,573

Filed: September 16, 2003

For: SMALL PARTICLE LIPOSOME  
AEROSOLS FOR DELIVERY OF  
ANTICANCER DRUGS

Group Art Unit: 1615

Examiner: Unknown

Atty. Dkt. No.: CLFR:158US

Confirmation No.: 2987

**CERTIFICATE OF ELECTRONIC SUBMISSION**

DATE OF SUBMISSION: December 29, 2006

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

**MS AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

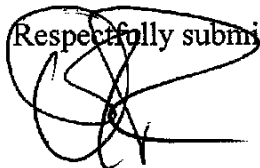
In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Supplemental Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

In accordance with 37 C.F.R. § 1.97(g), (h), this Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be

construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

The present Supplemental Information Disclosure Statement is being filed prior to the receipt of a first Official Action reflecting an examination on the merits, and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with the filing of this Supplemental Information Disclosure Statement, however, should any fees under 37 C.F.R. § 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Commissioner is authorized to deduct the appropriate fees from Fulbright & Jaworski Deposit Account No.: 50-1212/CLFR:158US.

Applicants respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,  


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Attorney for Applicants

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Date: December 29, 2006

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|---|---|---|--------------------------|
| Form PTO-1449 (modified)  |   | Atty. Docket No.<br>CLFR:158US              | Serial No.<br>10/663,573 |
| List of Patents and Publications for Applicant's<br><br>INFORMATION DISCLOSURE STATEMENT<br><br>(Use several sheets if necessary) |   | Applicant<br>J. Vernon Knight <i>et al.</i> |                          |
|   |   | Filing Date:<br>September 16, 2003          | Group:<br>1615           |
| U.S. Patent Documents<br><i>See Page 1</i>  | Foreign Patent Documents<br><i>See Page 1</i> | Other Art<br><i>See Page 1</i>              |                          |

### U.S. Patent Documents

| Exam.<br>Init. | Ref.<br>Des. | Document<br>Number | Date | Name | Class | Sub<br>Class | Filing Date<br>of App. |
|----------------|--------------|--------------------|------|------|-------|--------------|------------------------|
|                |              |                    |      |      |       |              |                        |

### Foreign Patent Documents

| Exam.<br>Init. | Ref.<br>Des. | Document<br>Number | Date     | Country | Language |
|----------------|--------------|--------------------|----------|---------|----------|
|                | B6           | WO 98/00111        | 01/08/98 | WIPO    | English  |

### Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

| Exam.<br>Init. | Ref.<br>Des. | Citation   |
|----------------|--------------|--|
|                | C28          | Burke, "Lipid bilayer partitioning and stability of camptothecin drugs," <i>Biochemistry</i> , 32:5352-5364, 1993.   |
|                | C29          | Hinz <i>et al.</i> , "Pharmacokinetics of the <i>in Vivo</i> and <i>in Vitro</i> Conversion of 9-Nitro-20(S)-camptothecin to 9-Amino-20(S)-camptothecin in Humans, Dogs, and Mice," <i>Cancer Res.</i> , 54:3096-3100, 1994. |

25730388.1

**EXAMINER:****DATE CONSIDERED:**

EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.